

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

HARVEY BROADUS,

Plaintiff,

vs.

FILED ELECTRONICALLY

CIV. ACTION NO. 2:16-CV-00751-
AJS

CORRECT CARE SOLUTIONS, INC.;
WEXFORD HEALTH SOURCES,
INC.; and MICHAEL HERBIK, D.O.,
c/o STATE CORRECTIONAL
INSTITUTE AT FAYETTE,

Defendants.

MOTION TO DISMISS

AND NOW comes the Defendant, Wexford Health Sources, Inc. and pursuant to Rule 12 of the Federal Rules of Civil Procedure, moves this Court to Dismiss the Plaintiff's Amended Complaint against it, on the grounds that Plaintiff has failed to plead any conduct for which Wexford can be held liable, as is more fully set forth in the accompanying Brief and Exhibits.

Respectfully submitted,

WEBER GALLAGHER SIMPSON STAPLETON
FIRES & NEWBY LLP

BY: /s/ Paula A. Koczan
Paula A. Koczan, Esquire
pkoczan@wglaw.com

PA 46932

Michael C. Hamilton, Esquire

mhamilton@wglaw.com

PA 87795

WEBER GALLAGHER SIMPSON

STAPLETON FIRES & NEWBY, LLP

Four PPG Place

5th Floor

Pittsburgh, PA 15222

(412) 281-4541

(412) 281-4547 FAX

CERTIFICATE OF SERVICE

I, Paula A. Koczan, Esquire, hereby certify that on this date a true and correct copy of the foregoing **MOTION TO DISMISS** was served electronically upon the following:

All Counsel of Record

/S/ Paula A. Koczan
Paula A. Koczan, Esquire

Dated: 08/18/2016